

# **JOURNAL OF THE SENATE**

## **EIGHTY-NINTH SESSION**

---

THIRTY-SIXTH DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Thursday, March 13, 2014

The Senate convened at 9:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, John Fette, followed by the Pledge of Allegiance led by Senate page Wynne Wilfahrt.

Roll Call: All members present.

### **APPROVAL OF THE JOURNAL**

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the thirty-fifth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Corey Brown, Chair

Which motion prevailed.

**REPORTS OF STANDING COMMITTEES**

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 3, 7, 13, 16, 17, 26, 36, 68, 81, 85, 118, 125, 145, 163, 181, and 183 were delivered to his Excellency, the Governor, for his approval at 8:50 a.m., March 13, 2014.

Also MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Senate has, pursuant to the Governor's veto of SB 98, sustained that veto and delivered the same to his Excellency, the Secretary of State, for filing at 2:00 p.m., March 12, 2014.

Also MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 23, 25, 28, 53, 90, 99, 113, 143, 157, 168, 172, and 176 and finds the same correctly enrolled.

Respectfully submitted,  
Corey Brown, Chair

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

I have the honor to inform your honorable body that the House has concurred in Senate amendments to HB 1164, 1249, 1203, 1194, 1122, 1041, 1175, 1112, and 1040.

Respectfully,  
Arlene Kvislen, Chief Clerk

Sen. Rave moved that the Senate do now recess until 10:30 a.m., which motion prevailed and at 9:22 a.m., the Senate recessed.

**RECESS**

The Senate reconvened at 10:38 a.m., the President presiding.

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**SIGNING OF BILLS**

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The President publicly read the title to

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SB 23: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to deceptive trade practices, including unordered property or services, lodging reservation and cancellation, violation penalties, attorney's fees, entry rights for landlords and tenants, debit card theft, and organized retail crime.

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SB 25: FOR AN ACT ENTITLED, An Act to establish the procedure to forfeit personal property in child pornography, human trafficking, child solicitation or exploitation cases, and to direct money from the forfeitures.

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SB 28: FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related to mountain pine beetle suppression and to declare an emergency.

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SB 53: FOR AN ACT ENTITLED, An Act to make appropriations to fund certain programs and projects that provide economic benefits to South Dakotans and to declare an emergency.

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SB 90: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the High School Activities Association.

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SB 99: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding self-funded multiple employer trusts.

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SB 113: FOR AN ACT ENTITLED, An Act to revise the minimum suspension requirements for students participating in extracurricular activities.

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SB 143: FOR AN ACT ENTITLED, An Act to provide for a civil remedy for a bad faith assertion of patent infringement.

23

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SB 157: FOR AN ACT ENTITLED, An Act to make an appropriation to the building South Dakota fund and to declare an emergency.

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SB 168: FOR AN ACT ENTITLED, An Act to authorize criminal background checks for certain officers and employees of the Governor's Office of Economic Development.

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SB 172: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to services performed by dental hygienists.

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SB 176: FOR AN ACT ENTITLED, An Act to revise the ability of the secretary of the Department of Revenue to reduce or abate taxes.

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HB 1019: FOR AN ACT ENTITLED, An Act to provide certain provisions regarding the requirements for postsecondary institutions to participate in a multistate state authorization reciprocity agreement for distance education activities.

1 HB 1025: FOR AN ACT ENTITLED, An Act to revise certain statutes and administrative  
2 rules regarding licensure of nursing facility administrators and to increase certain fees.

3 HB 1038: FOR AN ACT ENTITLED, An Act to authorize the Department of Public Safety  
4 to build a highway patrol office and motorcycle training facility in Rapid City, to make an  
5 appropriation therefor, and to declare an emergency.

6 HB 1039: FOR AN ACT ENTITLED, An Act to revise certain reversion provisions  
7 relating to the General Appropriations Act for fiscal year 2013.

8 HB 1045: FOR AN ACT ENTITLED, An Act to revise unemployment insurance  
9 contribution rates.

10 HB 1069: FOR AN ACT ENTITLED, An Act to revise the maximum redemption fee for  
11 property tax deeds.

12 HB 1127: FOR AN ACT ENTITLED, An Act to provide an exemption for alimony  
13 payments in debtor filings.

14 HB 1129: FOR AN ACT ENTITLED, An Act to prohibit the use of certain explosive  
15 targets in the Black Hills Forest Fire Protection District.

16 HB 1143: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding  
17 unemployment insurance benefit eligibility of workers attending approved training.

18 HB 1148: FOR AN ACT ENTITLED, An Act to provide a license for certain businesses  
19 to allow patrons to manufacture malt beverages and wines on the licensed premises for personal  
20 use.

21 HB 1162: FOR AN ACT ENTITLED, An Act to prohibit the practice of sex-selective  
22 abortions, to establish certain procedures to better ensure that sex-selective abortions are not  
23 practiced in South Dakota, and to provide penalties therefor.

24 And signed the same in the presence of the Senate.

25 Sen. Rave moved that the Senate do now recess until 2:00 p.m., which motion prevailed  
26 and at 10:50 a.m., the Senate recessed.

27 **RECESS**

28 The Senate reconvened at 2:55 p.m., the President presiding.

29 There being no objection, the Senate reverted to Order of Business No. 4.

## COMMUNICATIONS AND PETITIONS

March 13, 2014

Mr. President and Members of the Senate:

I have the honor to inform you that on March 13, 2014, I approved Senate Bill 63, and the same has been deposited in the office of the Secretary of State.

Respectfully submitted,  
Dennis Daugaard  
Governor

## REPORTS OF CONFERENCE COMMITTEES

Cc1

MR. PRESIDENT:

The Conference Committee respectfully reports that it has considered SB 1 and the amendments thereto made by the House, and the disagreement of the two houses thereon, and recommends that SB 1 be amended as follows:

1fe

On page 1, between lines 12 and 13 of the House State Affairs Committee engrossed bill, insert:

"Section 2. That chapter 2-9 be amended by adding thereto a NEW SECTION to read as follows:

The term of each Executive Board is from sine die in the odd-numbered year until sine die in the next succeeding odd-numbered year. During the entire period of each Executive Board's term, it is the governance body of the Legislative Research Council and shall direct and supervise its staff and activities."

On page 2, line 18, delete "of section 2".

1yc

On page 1, line 8, of the House State Affairs Committee engrossed bill, delete "even-numbered" and insert "odd-numbered".

On page 1, line 11, delete "odd-numbered" and insert "even-numbered".

1 1rb

2 On page 2, after line 18 of the House State Affairs Committee engrossed bill, insert:

3 "Section 4. That chapter 2-9 be amended by adding thereto a NEW SECTION to read as  
4 follows:

5 The party makeup of the Executive Board members of the House of Representatives,  
6 including the ex officio members, shall be proportional to the party makeup of the House of  
7 Representatives as a whole. The party makeup of the Executive Board members of the Senate,  
8 including the ex officio members, shall be proportional to the party makeup of the Senate as a  
9 whole."

10 And that the title to SB 1 be amended as follows:

11 1ftc

12 On page 1, line 3, of the House State Affairs Committee engrossed bill, before "and" insert  
13 "to provide for the year-round governance of the Legislative Research Council by the Executive  
14 Board,".

15 Respectfully submitted,  
16 David Lust  
17 House Committee Chair

Respectfully submitted,  
Craig Tieszen  
Senate Committee Chair

18 Cc65

19 Also MR. PRESIDENT:

20 The Conference Committee respectfully reports that it has considered SB 65 and the  
21 amendments thereto made by the House, and the disagreement of the two houses thereon, and  
22 recommends that SB 65 be amended as follows:

23 65oa

24 On page 9 of the House engrossed bill, delete lines 21 to 24, inclusive, and insert:

25 "Section 21. That § 31-12A-36 be amended to read as follows:

26 31-12A-36. ~~An additional~~ A contiguous area may be annexed or an area withdrawn from  
27 a road district by:

28 (1) Circulation of an initiating petition ~~therefor by the qualified for annexation signed by~~  
29 twenty-five percent of the eligible voters in the new area to be annexed and twenty-  
30 five percent of the eligible voters in the existing district, similar to an initiating  
31 petition specified in this chapter; or

1 (2) Circulation of an initiating petition for withdrawal signed by qualified twenty-five  
2 percent of the eligible voters in the affected area to be withdrawn and passage of a  
3 resolution therefor by the directors of the road district.

4 Upon receipt of an initiating petition and passage of a resolution by the directors, the area  
5 shall be annexed ~~or withdrawn in the same manner as prescribed for creation of a new road~~  
6 ~~project district~~ if a majority of the eligible voters in the area to be annexed and a majority of the  
7 eligible voters in the existing area vote in favor of the annexation in the same manner as  
8 prescribed for creation of a new road district or the area shall be withdrawn if a majority of the  
9 eligible voters in the withdrawing area vote in favor of withdrawal in the same manner as  
10 prescribed for creation of a new road district."

11 On page 10, delete lines 1 to 8, inclusive.

12 Respectfully submitted,  
13 Brian Gosch  
14 House Committee Chair

Respectfully submitted,  
Mark Kirkeby  
Senate Committee Chair

15 Cc108

16 Also MR. PRESIDENT:

17 The Conference Committee respectfully reports that it has considered SB 108 and the  
18 amendments thereto made by the House, and the disagreement of the two houses thereon, and  
19 recommends that SB 108 be amended as follows:

20 108oc

21 On the House engrossed bill, delete everything after the enacting clause and insert:

22 "Section 1. The Department of Human Services and the Department of Labor and  
23 Regulation shall jointly conduct a study of services and insurance coverage for the treatment of  
24 autism spectrum disorder for children. The study shall include input from families, autism  
25 advocacy groups, legislators, state policy leaders, and other stakeholders. The study shall  
26 examine:

27 (1) The issues related to the cost of requiring insurance plans to cover the screening,  
28 diagnosis, and treatment of autism spectrum disorder for children, including current  
29 autism care services and insurance coverage available in South Dakota;

30 (2) The availability and certification requirements of service providers;

31 (3) The accepted treatment protocols and clinical and other outcomes associated with  
32 such treatments;

- 1       (4)     The cost effectiveness of treatments and insurance coverage in surrounding states;
- 2       (5)     The overall cost per insured for coverage of applied behavior analysis;
- 3       (6)     The current costs incurred to the state related to autism, including treatment and
- 4             associated educational costs; and
- 5       (7)     Other issues as appropriate.

6 The departments shall submit a report with findings and any recommendations to the  
7 Governor and the Legislature no later than November 15, 2014.

8 Section 2. The Department of Human Services and the Department of Labor and Regulation  
9 may contract with a consultant for the study required in section 1 of this Act. The consultant  
10 shall have demonstrated expertise in autism spectrum disorder and in evaluating the issues  
11 relating to the insurance coverage for the treatment of autism spectrum disorder for children.

12 Section 3. Any agency of the state or any organization that has a contract with the state shall  
13 cooperate with the Department of Human Services and the Department of Labor and Regulation  
14 or its consultant for the purpose of providing facts, figures, data, projections and other  
15 information needed to complete the study."

16 And that the title to SB 108 be amended as follows:

108ota

18       On page 1, line 1, of the House engrossed bill, delete everything after "Act to" and insert  
19       "require a study of services and insurance coverage for the treatment of autism spectrum  
20       disorder for children."

21 On page 1, delete lines 2 and 3.

22 Respectfully submitted,  
23 Brock Greenfield  
24 House Committee Chair

Respectfully submitted,  
Timothy Rave  
Senate Committee Chair

25 Cc158

26 Also MR. PRESIDENT:

27 The Conference Committee respectfully reports that it has considered SB 158 and the  
28 amendments thereto made by the House, and the disagreement of the two houses thereon, and  
29 recommends that SB 158 be amended as follows:



1 158fe

2 On page 2 of the House State Affairs Committee engrossed bill, delete line 24, and insert:

3 "(1) If the combined cash balance is less than ten percent of the general fund  
4 appropriations from the general appropriations act for the prior year, an amount of  
5 unobligated cash shall be transferred to the budget reserve fund, so that the combined  
6 cash balance equals ten percent of the general appropriations from the general  
7 appropriations act for the prior year;

8 (2) If the combined cash balance is equal to or greater than ten percent of the general  
9 fund appropriations from the general appropriations act for the prior year, or there is  
10 additional unobligated cash after the provisions in subdivision (1) are satisfied, an  
11 amount of unobligated cash shall be transferred to the building South Dakota fund,  
12 so that the collective BSDF cash balance does not exceed one percent of the general  
13 fund appropriations in the general appropriations act for the previous fiscal year; and

14 (3) If the collective BSDF cash balance exceeds one percent of the general fund  
15 appropriations in the general appropriations act for the previous year, or if there is  
16 additional unobligated cash remaining after the transfers in subdivisions (1) and (2),  
17 the remaining unobligated cash shall be transferred to the budget reserve fund and  
18 property tax reduction fund pursuant to the provisions of §§ 4-7-32 and 4-7-39.

19 Section 3. That chapter 4-7 be amended by adding thereto a NEW SECTION to read as  
20 follows:

21 If the collective BSDF cash balance is less than one half percent of the general fund  
22 appropriations in the general appropriations act for the previous fiscal year, the commissioner  
23 shall transfer an amount of money from the property tax reduction fund to the building South  
24 Dakota fund so that the total of the amount deposited pursuant to this section and section 2 of  
25 this Act does not exceed one half percent of the general fund appropriations in the general  
26 appropriations act for the previous fiscal year. However, the combined cash balance may not be  
27 reduced to less than ten percent of the general fund appropriations from the general  
28 appropriations act for the prior year by any transfer made to the building South Dakota fund  
29 pursuant to this section.

30 Section 4. That chapter 4-7 be amended by adding thereto a NEW SECTION to read as  
31 follows:

32 Terms used in sections 2 and 3 of this Act mean:

33 (1) "Collective BSDF cash balance," the total cash balance of the:

34 (a) Building South Dakota fund;

- 1 (b) Local infrastructure improvement grant fund;  
2  
3 (c) Economic development partnership fund;  
4  
5 (d) Workforce education fund;  
6  
7 (e) South Dakota housing opportunity fund; and  
8  
9 (f) Funds disbursed pursuant to the provisions of subdivision (5) of § 1-16G-48;  
10  
11 (2) "Combined cash balance," the total cash balance of the:  
12 (a) Budget reserve fund at the end of the prior fiscal year; and  
13  
14 (b) Property tax reduction fund at the end of the prior fiscal year."

15 On page 3, delete lines 1 to 24, inclusive.

16 On page 4, delete lines 1 to 11, inclusive.

17 Respectfully submitted,  
18 David Lust  
19 House Committee Chair

Respectfully submitted,  
Timothy Rave  
Senate Committee Chair

20 Cc1111

21 Also MR. PRESIDENT:

22 The Conference Committee respectfully reports that it has considered HB 1111 and the  
23 amendments thereto made by the Senate, and the disagreement of the two houses thereon, and  
24 recommends that all Senate amendments be deleted, thus restoring the bill to the House version.

25 Respectfully submitted,  
26 Lance Carson  
27 House Committee Chair

Respectfully submitted,  
Larry Tidemann  
Senate Committee Chair

28 Cc1142

29 Also MR. PRESIDENT:

30 The Conference Committee respectfully reports that it has considered HB 1142 and the  
31 amendments thereto made by the Senate, and the disagreement of the two houses thereon, and  
32 recommends that HB 1142 be amended as follows:

1 1142fa

2 On page 3, line 8, of the Senate engrossed bill, delete everything after "fund." .

3 On page 3, delete lines 9 to 12, inclusive.

4 On page 3, line 13, delete "The" and insert "One million five hundred thousand dollars  
5 (\$1,500,000) from the current balance of the".

6 On page 3, line 13, delete everything after "be" .

7 On page 3, line 14, delete "balance".

8 And that the title to HB 1142 be amended as follows:

9 1142fta

10 On page 1, line 2, of the Senate engrossed bill, after "institutes," insert "to transfer certain  
11 funds,".

12 Respectfully submitted,  
13 G. Mark Mickelson  
14 House Committee Chair

Respectfully submitted,  
Jim White  
Senate Committee Chair

15 Cc1177B

16 Also MR. PRESIDENT:

17 The Conference Committee respectfully reports that it has considered HB 1177 and the  
18 amendments thereto made by the Senate, and the disagreement of the two houses thereon, and  
19 recommends that HB 1177 be amended as follows:

20 1177je

21 On page 2, line 2, of the Senate engrossed bill, delete "primary" and insert "secondary".

22 1177jh

23 On page 2 of the Senate engrossed bill, delete lines 22 to 24, inclusive.

24 On page 3, delete lines 1 to 4, inclusive.

25 1177jg

26 On page 2, line 3, of the Senate engrossed bill, delete "Class 2 misdemeanor" and insert  
27 "petty offense with a fine of one hundred dollars".

1 1177jf

2 On page 3, after line 10 of the Senate engrossed bill, insert:

3 "Section 6. That § 23-1A-22 be amended to read as follows:

4 23-1A-22. If the plaintiff prevails in a petty offense case, the plaintiff shall be granted a  
5 judgment of twenty-five dollars. If the plaintiff prevails in a petty offense case under section 1  
6 of this Act, the plaintiff shall be granted a judgment of one hundred dollars. However, the trial  
7 court may reduce or eliminate the award in the interest of justice. No award may be granted a  
8 defendant in a petty offense case. If a deposit is required by this chapter, it shall be the amount  
9 set by this section."

10 And that the title to HB 1177 be amended as follows:

11 1177jtc

12 On page 1, line 1, of the Senate engrossed bill, delete everything after "Act to" .

13 On page 1, delete lines 2 to 4, inclusive, and insert "prohibit certain use of handheld  
14 electronic wireless communication devices while driving and to provide a penalty therefor."

15 Respectfully submitted,  
16 Charles Hoffman  
17 House Committee Chair

Respectfully submitted,  
Blake Curd  
Senate Committee Chair

18 Cc1213

19 Also MR. PRESIDENT:

20 The Conference Committee respectfully reports that it has considered HB 1213 and the  
21 amendments thereto made by the Senate, and the disagreement of the two houses thereon, and  
22 recommends that HB 1213 be amended as follows:

23 1213te

24 On page 2 of the Senate engrossed bill, delete line 24, and insert:

25 "Section 4. The task force shall be under the supervision of the Executive Board of the  
26 Legislative Research Council and staffed and funded as an interim legislative committee. The  
27 Legislative Research Council may receive additional funds from any legal source to carry out  
28 the purposes of this Act. The Executive Board shall designate the chair and vice chair of the task  
29 force."

1 On page 3, delete lines 1 and 2.

2 On page 3, delete lines 12 and 13, and insert "to the Executive Board of the Legislative  
3 Research Council not later than December 1, 2014, and a final report, recommendations, and  
4 potential draft legislation to the Executive Board of the Legislative research Council no later".

5 Respectfully submitted,  
6 Scott Munsterman  
7 House Committee Chair

Respectfully submitted,  
Ryan Maher  
Senate Committee Chair

8 Cc1206

9 Also MR. PRESIDENT:

10 The Conference Committee respectfully reports that it has considered HB 1206 and the  
11 amendments thereto made by the Senate, and the disagreement of the two houses thereon, and  
12 recommends that all Senate amendments be deleted, thus restoring the bill to the House  
13 Engrossed version.

14 Respectfully submitted,  
15 Fred Romkema  
16 House Committee Chair

Respectfully submitted,  
Larry Tidemann  
Senate Committee Chair

17 **MESSAGES FROM THE HOUSE**

18 MR. PRESIDENT:

19 I have the honor to inform your honorable body that the House has appointed Reps. Lust,  
20 Latterell, and Hawley as a committee of three on the part of the House to meet with a like  
21 committee on the part of the Senate to adjust the differences between the two houses on SB 1.

22 Also MR. PRESIDENT:

23 I have the honor to inform your honorable body that the House has adopted the reports of  
24 the Conference Committees on HB 1028 and 1206.

25 Also MR. PRESIDENT:

26 I have the honor to inform your honorable body that the House has adopted the reports of  
27 the Conference Committees on SB 108 and 177.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has adopted the reports of  
3 the Conference Committees on HB 1111, 1142, 1213, and 1177.

4 Also MR. PRESIDENT:

5 I have the honor to inform your honorable body that the House has adopted the reports of  
6 the Conference Committees on SB 65, 158, and 1.

7 Respectfully,  
8 Arlene Kvislen, Chief Clerk

9 **MOTIONS AND RESOLUTIONS**

10 Sen. Rave moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on  
11 Friday, March 14, the 37<sup>th</sup> legislative day.

12 Which motion prevailed.

13 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

14 Sen. Tieszen moved that the report of the Conference Committee on SB 1 as found on page  
15 655 of the Senate Journal be adopted.

16 The question being on Sen. Tieszen's motion that the report of the Conference Committee  
17 on SB 1 be adopted.

18 And the roll being called:

19 Yeas 21, Nays 14, Excused 0, Absent 0

20 Yeas:

21 Brown; Curd; Ewing; Heineman (Phyllis); Holien; Hunhoff (Jean); Jones (Chuck); Kirkeby;  
22 Lederman; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Rampelberg; Rave; Rhoden;  
23 Solano; Tieszen; Vehle; White

24 Nays:

25 Begalka; Bradford; Buhl O'Donnell; Frerichs; Jensen; Jones (Tom); Krebs; Lucas; Peters;  
26 Soholt; Sutton; Tidemann; Van Gerpen; Welke

1           So the motion having received an affirmative vote of a majority of the members-elect, the  
2       President declared the motion carried and the report was adopted.

3           Sen. Kirkeby moved that the report of the Conference Committee on SB 65 as found on  
4       page 656 of the Senate Journal be adopted.

5           The question being on Sen. Kirkeby's motion that the report of the Conference Committee  
6       on SB 65 be adopted.

7           And the roll being called:

8           Yeas 30, Nays 3, Excused 2, Absent 0

9           Yeas:

10       Begalka; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff  
11       (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
12       Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Rampelberg; Rhoden; Soholt; Solano; Tieszen;  
13       Van Gerpen; Vehle; Welke; White

14          Nays:

15       Bradford; Sutton; Tidemann

16          Excused:

17       Peters; Rave

18          So the motion having received an affirmative vote of a majority of the members-elect, the  
19       President declared the motion carried and the report was adopted.

20          Sen. Tidemann moved that the report of the Conference Committee on HB 1111 as found  
21       on page 660 of the Senate Journal be adopted.

22          The question being on Sen. Tidemann's motion that the report of the Conference  
23       Committee on HB 1111 be adopted.

24          And the roll being called:

25          Yeas 35, Nays 0, Excused 0, Absent 0

26          Yeas:

27       Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
28       Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
29       Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;  
30       Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

1 So the motion having received an affirmative vote of a two-thirds majority of the members-  
2 elect, the President declared the motion carried and the report was adopted.

3 Sen. Rave moved that the report of the Conference Committee on SB 108 as found on page  
4 657 of the Senate Journal be adopted.

5 The question being on Sen. Rave's motion that the report of the Conference Committee on  
6 SB 108 be adopted.

7 And the roll being called:

8 Yeas 35, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
11 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
12 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;  
13 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 So the motion having received an affirmative vote of a majority of the members-elect, the  
15 President declared the motion carried and the report was adopted.

16 Sen. Rave moved that the report of the Conference Committee on SB 158 as found on page  
17 658 of the Senate Journal be adopted.

18 The question being on Sen. Rave's motion that the report of the Conference Committee on  
19 SB 158 be adopted.

20 And the roll being called:

21 Yeas 31, Nays 4, Excused 0, Absent 0

22 Yeas:

23 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Heineman (Phyllis); Holien; Hunhoff  
24 (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup  
25 (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Tidemann;  
26 Tieszen; Van Gerpen; Vehle; White

27 Nays:

28 Frerichs; Jones (Tom); Sutton; Welke

29 So the motion having received an affirmative vote of a two-thirds majority of the members-  
30 elect, the President declared the motion carried and the report was adopted.



1 Sen. Peters moved that the report of the Conference Committee on SB 177 as found on  
2 page 645 of the Senate Journal be adopted.

3 The question being on Sen. Peters' motion that the report of the Conference Committee on  
4 SB 177 be adopted.

5 And the roll being called:

6 Yeas 35, Nays 0, Excused 0, Absent 0

7 Yeas:

8 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
9 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
10 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
11 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

12 So the motion having received an affirmative vote of a two-thirds majority of the members-  
13 elect, the President declared the motion carried and the report was adopted.

14 Sen. White moved that the report of the Conference Committee on HB 1142 as found on  
15 page 660 of the Senate Journal be adopted.

16 The question being on Sen. White's motion that the report of the Conference Committee  
17 on HB 1142 be adopted.

18 And the roll being called:

19 Yeas 35, Nays 0, Excused 0, Absent 0

20 Yeas:

21 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
22 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
23 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
24 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

25 So the motion having received an affirmative vote of a two-thirds majority of the members-  
26 elect, the President declared the motion carried and the report was adopted.

27 Sen. Curd moved that the report of the Conference Committee on HB 1177 as found on  
28 page 661 of the Senate Journal be adopted.

29 The question being on Sen. Curd's motion that the report of the Conference Committee on  
30 HB 1177 be adopted.

1 And the roll being called:

2 Yeas 28, Nays 7, Excused 0, Absent 0

3 Yeas:

4 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Frerichs; Heineman (Phyllis); Holien;  
5 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas;  
6 Novstrup (Al); Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Vehle;  
7 Welke; White

8 Nays:

9 Ewing; Maher; Monroe; Omdahl; Otten (Ernie); Peters; Van Gerpen

10 So the motion having received an affirmative vote of a majority of the members-elect, the  
11 President declared the motion carried and the report was adopted.

12 Sen. Maher moved that the report of the Conference Committee on HB 1213 as found on  
13 page 662 of the Senate Journal be adopted.

14 The question being on Sen. Maher's motion that the report of the Conference Committee  
15 on HB 1213 be adopted.

16 And the roll being called:

17 Yeas 33, Nays 1, Excused 1, Absent 0

18 Yeas:

19 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Frerichs; Heineman (Phyllis); Holien;  
20 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lucas; Maher; Monroe;  
21 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;  
22 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

23 Nays:

24 Ewing

25 Excused:

26 Lederman

27 So the motion having received an affirmative vote of a majority of the members-elect, the  
28 President declared the motion carried and the report was adopted.

29 Sen. Tidemann moved that the report of the Conference Committee on HB 1206 as found  
30 on page 663 of the Senate Journal be adopted.

1 The question being on Sen. Tidemann's motion that the report of the Conference  
2 Committee on HB 1206 be adopted.

3 And the roll being called:

4 Yeas 35, Nays 0, Excused 0, Absent 0

5 Yeas:

6 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
7 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
8 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
9 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

10 So the motion having received an affirmative vote of a two-thirds majority of the members-  
11 elect, the President declared the motion carried and the report was adopted.

## 12 **REPORTS OF JOINT-SELECT COMMITTEES**

13 Sen. Rave moved that the report of the Joint-Select Committee relative to making  
14 arrangements for the legislative days for the Ninetieth Legislative Session as found on page 634  
15 of the Senate Journal be adopted.

16 Which motion prevailed.

17 Sen. Rave moved that the report of the Joint-Select Committee relative to the Joint Rules  
18 for the Ninetieth Legislative Session as found on page 634 of the Senate Journal be adopted.

19 The question being on Sen. Rave's motion that the report of the Joint-Select Committee  
20 relative to the Joint Rules for the Ninetieth Legislative Session be adopted.

21 And the roll being called:

22 Yeas 35, Nays 0, Excused 0, Absent 0

23 Yeas:

24 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
25 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;  
26 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;  
27 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

28 So the motion having received an affirmative vote of a majority of the members-elect, the  
29 President declared the motion carried.

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3 MR. PRESIDENT:

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